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October 31, 2024

BY ECF

The Honorable Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, NY 10007

MEMO ENDORSED

Re: *Corsini, et al., v Dentons US LLP, et al., 1:24-cv-03196 (VSB)*

Dear Judge Broderick:

We represent Boies Schiller Flexner LLP (“BSF”) and write pursuant to Rule 5(B) of the Court’s Individual Rules & Practices in Civil Cases and Rule 21.8 of the Electronic Case Filing Rules & Instructions of the United States District Court for the Southern District of New York to request that an exhibit submitted in connection with BSF’s motion to dismiss the complaint be filed provisionally under seal.

The Complaint in this action cites and relies heavily on an arbitral award (the “ICC Award”). BSF is including the ICC Award among the exhibits cited in support of its motion to dismiss, which is attached as Exhibit 5 to the October 31, 2024, Declaration of Eric Brenner. The ICC Award itself does not indicate that the document should be filed under seal. But in an abundance of caution, BSF reached out to Plaintiffs’ counsel—who represented the Respondent (Senelec) in the arbitration and now represent the Claimant (Liberty-CITIC Energy Cayman Ltd.) here—to confirm whether any party to the arbitration would be seeking to maintain the ICC Award under seal. As of the time of filing BSF’s motion to dismiss, we have not received a response.

In order to preserve the opportunity of the parties to the arbitration to request that the ICC Award be maintained under seal, we respectfully request that the Court accept the ICC Award for filing under seal provisionally. To be clear, BSF takes no position on the sealing of ICC Award.

We thank the Court for its attention to this matter.

The foregoing request is denied as moot because counsel for Dentons US LLP, Edward J. Reich, and Jeffrey S. Geron have already filed the same exhibit publicly. (See DE # 55-2.) Boies Schiller is hereby directed to file the exhibit referenced herein publicly. DE # 49 is resolved.

SO ORDERED.

3/10/2025

/s/ Laura Taylor Swain, Chief USDJ

Respectfully,

/s/ Eric Brenner
Eric Brenner

BOIES SCHILLER FLEXNER LLP